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ARNOLD & PORTER

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December 12, 2003

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Application No. 09/574,946
Filed: May 19, 2000
Title: Methods and Compositions for Regulated Transcription
and Expression of Heterologous Genes
Applicants: SHEWMAKER *et al.*
Atty. Docket: 18866.002

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. a Letter to the Examiner;
2. a Combined Declaration and Power of Attorney for Patent Application executed by Christine K. Shewmaker (3 pages);
3. a Combined Declaration and Power of Attorney for Patent Application executed by Catherine M. Houck (3 pages);
4. a Combined Declaration and Power of Attorney for Patent Application executed by Vic C. Knauf (3 pages);
5. a Combined Declaration and Power of Attorney for Patent Application executed by Jean C. Kridl (3 pages);
6. a Combined Declaration and Power of Attorney for Patent Application executed by Daniel Facciotti (3 pages); and
7. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

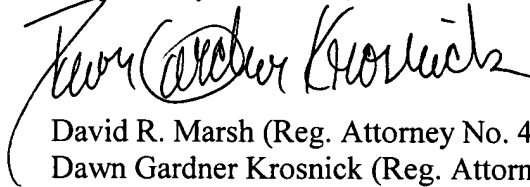
In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However,

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Commissioner for Patents
Atty. Docket: 18866.002
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if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387 referencing matter number 18866.002. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dawn Gardner Krosnick", is written over a large, faint, circular watermark or stamp that is partially visible in the background.

David R. Marsh (Reg. Attorney No. 41,408)

Dawn Gardner Krosnick (Reg. Attorney No. 44,118)

Enclosures



Combined Declaration and Power of Attorney for Patent Application

Attorney Docket No. 16518.050/MON 15599/04/US

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR REGULATED TRANSCRIPTION AND EXPRESSION OF HETEROLOGOUS GENES**, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on: May 19, 2000
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I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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U.S. Patent No. 5,753,475, matured from application Serial No. 08/105,852, filed August 10, 1993, and is believed to be wholly or partly inoperative or invalid by reason of the patentees claiming more or less than the patentees had the right to claim in the patent.

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The undersigned hereby appoint:

Forchisha Davis, Reg. No. 48,371; and the

practitioners at Arnold & Porter, Customer No. 28381

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555 12th Street, N.W.
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Facsimile: (202) 942-5999

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Applicant, Patentee and Assignor: Christine K. Shewmaker

Signature: Christine K. Shewmaker Date: 12/6/03

Citizenship: United States of America

Post Office Address: 1409 Spring Creek
Woodland, CA 95695

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Catherine M. Houck

Signature: _____ Date: _____

Citizenship: United States of America

Post Office Address: 172 Carmel Court
Vacaville, CA 95688

Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Vic C. Knauf

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Citizenship: United States of America

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Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Jean C. Kridl

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Citizenship: United States of America
Post Office Address: 538 Reed Drive
Davis, CA 95616
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Daniel Facciotti

Signature: _____ Date: _____
Citizenship: Switzerland
Post Office Address: 428 Roos Street
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Signature:  Date: Dec. 5, 2003

Citizenship: United States of America

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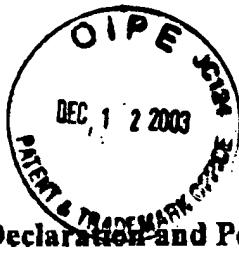
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Jean C. Kridl

Signature: Jean Cridl Date: 12/8/03
Citizenship: United States of America
Post Office Address: 538 Reed Drive
Davis, CA 95616
Residence Address: same as Post Office Address.

Applicant, Patentee and Assignor: Daniel Facciotti

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